

EXTENSIONS OF REMARKS

WHO SAYS BLACKS MUST
SUPPORT THOMAS?

HON. LOUIS STOKES

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, July 22, 1991

Mr. STOKES. Mr. Speaker, President Bush's decision to nominate Judge Clarence Thomas to the U.S. Supreme Court has provoked a great deal of debate here in the Congress and throughout the Nation. As his confirmation hearings approach, many will examine Thomas' record on affirmative action, civil rights, abortion, and other controversial issues which are certain to come before the Supreme Court.

One question being asked by the White House is why black leaders would be opposed to the nomination of an African-American to the Nation's highest Court. Notable black organizations, including the Congressional Black Caucus and the National Association for the Advancement of Colored People [NAACP], have criticized the nomination of Clarence Thomas.

In an article which appeared in the July 15, 1991 edition of the *Cleveland Plain Dealer*, Rev. Marvin A. McMickle, an outstanding minister and president of the Cleveland Branch of the NAACP, addressed this issue. This thoughtful and incisive article is entitled, "Who Says Blacks Must Support Thomas?"

Mr. Speaker, I am pleased to bring this article to the attention of my colleagues and urge that they take a moment to consider Reverend McMickle's arguments.

WHO SAYS BLACKS MUST SUPPORT THOMAS

(By Rev. Marvin A. McMickle)

It is, perhaps, time for the local NAACP branch president to say why so many black Americans view the Supreme Court nomination of Clarence Thomas with alarm and concern.

There seems to be some assumption that because Thomas is black, all other blacks in America should welcome the prospect of his presence on the nation's highest court. The fact is, the NAACP national office and I personally view this nomination with cautious pessimism. What is known about the views of Clarence Thomas disturbs me, and what is not known disturbs me even more.

First, however, let me assert my grave concern over the public hysteria created by the criticism of Clarence Thomas by some black persons. Why is it to be assumed that, because he is black, all other blacks should hold their tongues and not express concern about his views and past history? When Robert Bork was nominated, widespread disagreement about his presence on the court was raised by other white Americans, and nobody seemed shocked. Whites are allowed to disagree on matters of policy or ideas, but seem shocked when blacks exercise the same option.

It is one of the lingering effects of racism upon American society that, of course, all

black people agree on everything, and one of them would have no need to ever disagree with another. Freedom will not fully come for black Americans until we are as free to hold divergent views among ourselves and to speak freely about those divergent views as is the case for whites, whose views are as divergent as Edward Kennedy and William Sloane Coffin on one side and Jesse Helms and Pat Robertson on the other.

In fact, black America has never been as monolithic as some might think. The modern debate about affirmative action vs. black self-help is reminiscent of the debate 100 years ago between W.E.B. DuBois and Booker T. Washington over the best approach to black liberation or between Martin Luther King and Malcolm X in the 1960s on the same issue.

That black people can be found who disagree on affirmative action vs. self-help is surprising only to those, black and white, who think that blacks are incapable of thinking and speaking for themselves. What may make this particular disagreement unique is the fact that Clarence Thomas is not only disagreeing with some black leaders in America, but that he is so readily embraced by some in white America whose contempt for blacks is well known (Jesse Helms and Strom Thurmond).

Further troubling to many, is that he was elevated to this judicial pinnacle by two presidents whose administrations have presided over a steady reversal of civil-rights progress (Reagan and Bush).

As to the nomination of Clarence Thomas itself, let me list the areas of concern. Already widely discussed is his performance as head of the Equal Employment Opportunity Commission. That is readily the only public record available on this man. What his performance there promises to blacks, women, the elderly and others is no cause for enthusiasm. He savaged that agency. After only 16 months as an appeals court judge, there is little to suggest his views or his ability as a judge.

The real irony of this nomination is what it says about the shape and state of the U.S. Supreme Court for the next generation. George Bush has named to the court two men of incredibly low profile and even lower production of legal opinions and scholarly production. We know their ideology but we know nothing about their legal or judicial views.

Given the way in which all nominees since Bork (Kennedy-Scalia-Souter) have been coached for their confirmation hearings, we will not likely learn any more about Thomas until he is seated on the court and begins to produce opinions. Given the issues that will confront the court in the years to come. (capital punishment, free speech, limiting police power, *Roe vs. Wade*, environmental policies and equal protection under the law). I wonder if the nation is well served by Supreme Court justices, seven of whom share the same conservative political ideology, and about whom so little is known.

We demand to know a lot about a nominee for a four-year term as president. For a lifetime term on the Supreme Court we seem content to accept legal and judicial un-

knowns, and are then asked to believe that the nomination carries no political overtones.

Finally, the NAACP regrets George Bush's lack of honesty in answering whether Thomas was named because he is black. Bush said that Thomas was the best man for the job. That is untrue by every measurement. The truth is Thomas was George Bush's choice to replace Thurgood Marshall. No one imagines that Clarence Thomas is the premier black federal judge in the United States. He is not yet in the same league as A. Leon Higgenbotham of the 3rd Circuit Court in Pennsylvania or Harry Edwards, who sat with Thomas on the 2nd Circuit Court in Washington D.C. Both of these men are primed for the high court, but they are not conservative ideologues.

I am hard-pressed to believe that Thomas would have been "the best man for the job on the merits" if Bush had to replace Harry Blackman, who is also 82 years old and about to retire. This was a political decision by an increasingly conservative president. The shame is that Bush is unwilling to tell us that obvious truth.

INTRODUCTION OF LEGISLATION
TO CURTAIL ANTI-COMPETITIVE
PRICING PRACTICES BY MAJOR
REFINERS

HON. MIKE SYNAR

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 22, 1991

Mr. SYNAR. Mr. Speaker, I am today introducing legislation to amend the Petroleum Marketing Prices Act by adding a new title to that law designed to curtail certain anti-competitive pricing practices by refiners. I am very pleased to be joined in this important effort by Congressmen LENT (R-NY), BULEY (R-VA), and COOPER (D-TN), who share my concern over these pricing practices and the adverse impact they are having on wholesale distributors, C-store operators, chain retailers, service station dealers, and on the marketplace.

This legislation has two very simple purposes: To prevent refiner suppliers from charging their wholesale customers or dealers more for gasoline supplies than those refiners charging at the retail level at their own company-operated stations in the same marketing area—thus unfairly competing against their own customers; and to prohibit refiners from engaging in resale price maintenance.

This legislation is critically necessary to restrain the practice, commonly referred to as "price inversions", whereby some refiners have been charging their wholesale customers more for gasoline supplies at the rack than those same refiners are charging at the pump at their own retail outlets in the same marketing area. Now, Mr. Speaker, it doesn't take a rocket scientist to figure out that when this

* This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

happens, there is no way in the world that that wholesale customer can effectively compete against a refiner supplier. Far from competing, he is at a severe price disadvantage.

This bill is also necessary to ensure that refiners are constrained from directly or indirectly pressuring their independent service station dealers from setting specific retail prices, thereby limiting the flexibility which dealers have to price competitively.

In a moment, I want to go into the provisions of the bill in some detail. But at the outset, let me say that no matter how this issue is approached, no matter how complicated critics try to make the argument and the issue appear, it still boils down to two very simple propositions: First, that a supplier's wholesale prices should not be higher than his retail prices—especially where a wholesaler must directly compete against his supplier; and, second, refiner suppliers should not be attempting to dictate retail prices to their independent service station dealers. Period. It's just that simple, Mr. Speaker.

This is not to say that the issue is not challenging. Rather, I merely suggest that there are those who will seek to make it appear far more complicated than necessary.

I am the first to admit that the Petroleum Marketing Practices Act is a difficult law and that petroleum markets, and the ways in which they relate to each other, can sometimes be difficult to understand. They have changed enormously over the last decade and continue to evolve, particularly with the advent of futures markets in crude and petroleum products and increasing reliance on spot markets.

But they are not quite so complicated that Congress is unable to appreciate how they work or powerless to identify and address problems occurring in the marketplace.

These price inversions began to occur last fall, after the Iraqi invasion of Kuwait, a period of severe volatility in petroleum prices. While I was greatly concerned about this pricing practice at the time, like many others I assumed that a return to market stability would undo whatever peculiar pricing events had given rise to the inversions. Indeed, the American Petroleum Institute's study of those inversions which occurred during the August-September 1990 period suggested the inversions were merely anomaly induced by volatility in the market. Assuming one could accept API's explanation and agreed with its rationale, one would have expected the inversions to stop when the market returned to a normal state.

But that is not the case. Unfortunately, they occurred again during January and for extended periods of time later this year—a period during which the market was calm and prices were relatively stable. So, any suggestion that this was simply a volatility-induced anomaly, just doesn't hold water.

I have heard many explanations about how markets work, and about how they operate both independently and collectively. Yet, with all due respect, these explanations present no rational or compelling argument for why the petroleum market should not function so far outside the norm in terms of pricing product at various levels of distribution. Other markets don't operate that way and I have yet to hear a convincing argument as to why this one should.

As a result of these price inversions, some wholesale distributors have been put in the unenviable position of trying to market gasoline in competition with their suppliers who are able to charge significantly less at the pump—in the same marketing area. The resulting financial squeeze on these wholesale distributors, who are facing many other financial burdens, can be substantial. Certainly this bill will not relieve those other burdens, such as the costs for installation of new underground tanks and liability insurance, or the normal pressures of an intensely competitive marketplace. But the bill can—and hopefully will—relieve the burden of unfair competition by their own suppliers. This is its purpose.

Mr. Speaker, I want to emphasize that this legislation is crafted in a way to result in the least possible intrusion into the marketplace. For me, that is a fundamental principle which should guide any effort to find a fair and viable solution to this problem. No new government bureaucracy would be created.

And importantly, the legislation in no way dictates retail gasoline prices at the pump. Refiners are, and will continue to be, free to set retail prices where they choose. I would add, parenthetically, that the other provisions of the bill attempt to ensure that refiners' independent dealers are also free to set retail prices wherever they want. What the bill does require, however, is that refiners choose to compete with their own wholesale customers, that they not charge those wholesale customers more than the price they are charging at their own direct-operated retail outlets in the same geographic market area, adjusted for the refiner's cost of doing business.

In adjusting for the refiner's cost of doing business, the legislation provides for a very simple and very conservative rebuttable presumption: That dealer tank wagon prices should be about 6 percent less than retail prices, and that wholesale prices at the rack should, in turn, be about 4 percent less than dealer tank wagon prices.

As a very simplistic example, let's say that in one marketing area, a refiner chooses to set the retail price for regular unleaded gasoline at one of his own company-operated outlets at \$1/gallon. I would reemphasize that the refiner is free to set his retail prices wherever he wants. If that refiner directly competes with his lessee dealers or with one or more of his wholesale customers in that particular marketing area, then he can charge his dealer lessee no more than \$0.94/gallon for that same grade of gasoline and could charge his wholesale distributor no more than \$0.90/gallon.

Again, these rebuttable presumptions were not just pulled out of thin air. They represent very conservative estimates of the refiner's cost of doing business at company-operated outlets. If a wholesale distributor or lessee dealer is charged more than those benchmark percentages of that suppliers' retail prices, then a prima facie case exists that the refiner has violated the provisions of the act. The refiner, however, can overcome the prima facie case by showing that his costs of doing business are less than the presumption. By using these conservative estimates, we anticipate only the most obvious and egregious cases would be the subject of any action.

I realize that some will employ the battle cry of price controls because of these presumptions, in an effort to stave off congressional scrutiny of this pricing practice. Let me say, Mr. Speaker, that I have lived through price controls, I know price controls, and this does not represent price controls.

Indeed, as I noted earlier, this proposal is specifically designed to be the least intrusive approach to correcting the problem. It is designed to avoid unduly interfering in the ability of refiner suppliers to set retail prices wherever they choose at their own outlets. And in an effort to avoid frivolous cases, we have chosen to employ what are in truth extremely conservative presumptions.

Mr. Speaker, I sincerely wish this sort of legislative fix was not necessary. Numerous major oil companies have told us they recognize the problem caused by these price inversions, and are sympathetic to the financial squeeze they impose on their wholesale customers. Indeed, virtually every major oil company we have talked to has told us that to try and address the problem they have a policy to prevent such inversions. However, it is important to note that they also agree that these inversions are likely to continue to occur despite their policies. Some have established rebate programs of one form or another which are supposed to compensate wholesale distributors for their losses when such inversions occur.

While I commend the industry for recognizing the seriousness, and the unfairness, of these inversions and appreciate their effort to respond to the situation, I must respectfully, but vigorously, disagree that their policies and/or rebates have been an effective response.

In fact, it is obvious that their policies to prevent such inversions are not working. As I noted before, these price inversions have now occurred several times since the beginning of this year, including an extended period during March and April when markets were relatively calm, and refiners have told us such inversions are likely to occur again and again despite their policies.

Further, while I am also pleased that some companies have established these rebate programs to try and compensate for price inversions, it has been impossible to learn the details of these programs and, in any event, even the companies admit that the rebates cannot make their wholesale distributors whole again following an inversion.

In light of all this, it seems only logical and reasonable to me that if we know the practice to be a serious problem, and recognize that the companies' rebates are not effective in remedying it, then we should look for a viable means of preventing the problem in the first place. That is what this legislation is all about.

Its second goal is to ensure that independent service station dealers have the flexibility to set retail prices at their stations, without undue pressure by refiners to fix prices at a level designed to meet other marketing objectives of the refiner.

Independent service station dealers are not employees of the oil companies, and they should have the opportunity to meet competition in their local areas through prices they deem appropriate. This is not always the case. Refiners, for example, sometimes influence

these retail prices through the use of rebates or discounts that are tied to the dealer selling so much gasoline in a given month. Dealers can be forced to participate in these programs in order to remain competitive, even though they may not always be in the dealer's best interest.

The legislation addresses this problem by prohibiting refiners from entering into schemes or agreements to set, change or maintain maximum retail prices of motor fuels operated by independent dealers, in short, a traditional concept prohibiting resale price maintenance.

Now, the major refiners have made a number of assertions about the concepts incorporated into this legislation, assertions which are either erroneous on their face, or highly exaggerated. I would like to address some of them up front.

First, some companies have asserted that this legislation will result in higher prices for consumers. Of course, that is not the case. We have gone out of our way to assure that nothing affects the rights of refiners to set retail prices at their company-operated outlets wherever they want, and they will continue to set their retail prices as competition dictates. Like my colleagues, I have always supported efforts to promote a healthy and vigorously competitive petroleum marketplace and nothing in this bill undermines that principle.

Some suggest the legislation will allow inefficient marketers to stay in business. Believe me, this bill will not do anything to protect inefficient marketers from the forces of the marketplace. It will simply protect wholesaler distributors and dealer lessees from certain fundamentally unfair forms of competition by their own suppliers. I think reasonable people recognize there is a big difference between intense, but normal, competitive pressures and instances where your own supplier is engaging in a pricing practice that threatens the economic viability of your business.

As I noted earlier, some refiners have contended this proposal represents price control legislation. Nothing could be further from the truth. None of us is quite so young that we don't remember Federal price controls; they were pervasive upstream and down—from the well-head to the gas pump. They were intended to strictly regulate the ultimate price paid by the consumer at the pump. As I have indicated repeatedly today, we have gone out of our way to craft a proposal whereby retail prices are not dictated by the bill, and to provide the least intrusive method possible for remedying cases where refiners price in a manner which virtually guarantees their own wholesale customers can't effectively compete against them.

This criticism goes hand-in-hand with all the old, baseless, standbys about reduced competitiveness, decline in customer convenience, guaranteed profits, et cetera. In truth, these arguments have no merit. They are simply designed to scare Congress into doing nothing about a practice which the refiners themselves concede is a serious problem for distributors and is one likely to continue to occur.

Looking at the resale price maintenance provisions in more detail, some major oil companies have asserted that the legislation might be used to prevent refiners from providing dealers with certain incentives, such as vol-

umes discounts. In fact, the legislation's restrictions on resale price maintenance—much like other antiprice maintenance proposals acted on by Congress—might prevent such discounts only in cases where the discounts or other incentives are designed solely to induce certain retail pricing practices, in effect a backdoor means of setting retail prices. Otherwise, the legislation should have no effect on discounting or incentive programs otherwise permitted by law. That is all it is intended to encompass with regard to volume discounting or other incentive programs.

With regard to the prohibition on resale price maintenance in general, I must say I would be surprised if any refiners would argue they should be permitted to dictate all retail prices to their independent dealers. Since other criticisms against the bill are based largely on arguments that no one should interfere in the workings of a competitive marketplace, it would be ironic indeed to now hear arguments that only refiners themselves should be permitted to do so.

Mr. Speaker, I am well aware that, despite our best efforts, this legislation may not represent the perfect solution to these problems—problems which even the refining community recognizes as serious. My offer to those who would criticize this approach, however, is to come up with a better proposal that provides an equally viable remedy in an even less intrusive way. I am open to suggestions for improving or fine-tuning the bill, as I'm sure my colleagues are, and I look forward to working with refiners, marketers, and dealers in an effort to craft and enact a workable solution to these problems.

Will this legislation address every problem facing marketers and dealers? Of course not. Marketers and dealers face extreme pressures every day in an intensely competitive business. They are in the process of meeting significant new burdens in the environmental area. The costs of liability insurance are in some cases prohibitive for smaller marketers and dealers and have forced many from the marketplace altogether.

But the fact that we cannot address all these problems should not prevent us from dealing with a few obvious ones where the issues are ones of basic fairness. That is what we are trying to do here.

There are other PMPA issues still around. Issues raised last year in legislation supported by the service station dealers, for instance, are still the subject of negotiations between the dealers, marketers, and major refiners. I do not believe those issues belong on this bill. Certainly, down the road, it might be appropriate to consider combining the marketing issues currently on the table if a consensus could be reached on all of them. In the meantime, however, I believe it is more appropriate to have the separate issues move along separate tracks.

Finally, Mr. Speaker, some more recent proposals such as retail divestiture or divestiture, have been suggested. That such radical measures are even the subject of serious discussion may be an indication of the high level of concern and frustration that marketers and dealers feel over certain supplier practices; nevertheless, I strongly oppose both and would vigorously resist any effort to attach

such proposals to this or other PMPA legislation.

I look forward to working with my cosponsors and other Members, as we give some critically needed scrutiny to these unfair and anticompetitive pricing practices. For those concerned about maintaining a healthy and robust petroleum product marketplace, I hope you will join us in cosponsoring our legislation to provide a remedy for those so seriously affected by these practices.

FIVE REASONS TO OPPOSE THE DAIRY BILL

HON. WILLIS D. GRADISON, JR.

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, July 22, 1991

Mr. GRADISON. Mr. Speaker, later this week, the House is scheduled to consider H.R. 2837 which would substantially change this Nation's dairy programs. This bill is bad for several reasons, and should be opposed.

Supporters say H.R. 2837 is needed to combat the low market prices dairy producers have been receiving. Over the past year producer prices for dairy products have dropped dramatically. When viewed in a long-run context, however, the drop appears less serious. The table below, which shows various dairy prices leads to three observations. First, prior to the recent drop, milk prices were at historic highs. Much of the drop can be explained as a return to the historic average, brought about by increased production. Second, although prices are slightly lower than their long-run average, the difference is not dramatic, especially when compared with the magnitude of the prior increases. Last, milk prices have been increasing in recent months, justifying hope that the worst is over for producers and that prices will soon return to normal levels.

In spite of this, H.R. 2837 would effectively tax America's consumers by forcing them to pay higher prices for all dairy products. The committee recognizes that such a move would only exacerbate the industry's perpetual problem of overproduction and so seeks to institutionalize a system of production quotas. The Department of Agriculture has already indicated that it will recommend a veto of this legislation. OMB is likely to take a similar stance. They rightly object to several of the bill's provisions.

First, H.R. 2837 turns over important Government functions to a new national dairy inventory management board consisting of milk producers. Although the board must consult with the Secretary of Agriculture, many of the normal Government decisions surrounding the operation of the Federal dairy program would be transferred to this private board representing dairy producers. We should not allow private boards to direct Government policy.

Second, the bill significantly raises the Federal support price for milk. The support price would rise from its current level of \$10.10 per hundredweight to \$12.60 in 1992 and 1993, \$12.10 in 1994 and \$11.60 in 1995. This in turn will raise the retail price of milk by approximately 12 cents per gallon. This is one Member who will not vote to raise the price of

milk for all his constituents for the benefit of a nationally small number of dairy farmers.

Third, the bill changes the composition of milk to require a greater percentage of milk solids. This would alter the taste of milk. The bill makes this change in order to get rid of some of the extra production resulting from the higher support prices. I believe the taste of milk should be left to consumers. Recently consumers have been voting in the opposite direction, increasing their purchases of lighter milk products.

Also, enactment of the bill will lead to the implementation of production quotas. Some have argued that we should guarantee producers higher prices by limiting the ability of individual farmers to produce as much as they want. Adopting this philosophy would seriously weaken the long-term competitiveness of American agriculture by reigning in its productivity and innovation. In order to guarantee existing farmers higher incomes, production controls would raise the price of food for consumers, weaken our competitiveness, and make it more difficult for the next generation of farmers to enter the industry. The 1985 and 1990 farm bills decisively rejected this philosophy.

Finally, the higher milk prices brought about by this bill will negatively impact Federal programs which supplement the purchasing power of those who might otherwise suffer from poor nutrition. The most important of these programs are the Women, Infants, and Children Program (WIC), the Food Stamp Program, and the child nutrition programs.

H.R. 2837 attempts to deal with this problem by increasing the assessments on dairy producers to pay for any negative impact. The bill would allow the private board to tax dairy farmers so that the benefits in each of these programs would not be diminished by the higher dairy prices. Yet, it is not clear that this plan will fully compensate the programs for their increased costs, especially in the first year when assessments have not yet occurred.

Indeed, the attempt to ameliorate the bill's negative impact on consumer prices raises an even stronger objection in the case of WIC. Under the terms of last fall's budget agreement, higher taxes in mandatory programs cannot be used to fund increases in discretionary accounts such as WIC. The bill's sponsors attempt to get around this objection by creating a mandatory program within WIC. This sort of budget gimmickery violates the spirit if not the letter of the budget agreement.

In sum, H.R. 2837 attempts to create a wide variety of budget and policy problems in order to solve an emergency which will likely no longer exist by the time the legislation is enacted. Private markets do not always perform smoothly, but on the whole they are much more efficient and fair to both producers and consumers than Government schemes to fix prices.

SELECTED MILK PRICES, 1986-90

| | M-W manu- factur- ing grade | New Eng- land blend | Upper Mid- west blend | Texas blend | Class I | U.S. retail |
|----------------|---|------------------------------|--------------------------------|----------------|---------|----------------|
| 1986 | | | | | | |
| January | 11.12 | 12.98 | 11.35 | 12.79 | 13.35 | 19.21 |
| February | 11.04 | 12.88 | 11.26 | 12.70 | 13.35 | 19.14 |

SELECTED MILK PRICES, 1986-90—Continued

| | M-W manu- factur- ing grade | New Eng- land blend | Upper Mid- west blend | Texas blend | Class I | U.S. retail |
|-----------------|---|------------------------------|--------------------------------|----------------|---------|----------------|
| March | 11.02 | 12.58 | 11.23 | 12.50 | 13.29 | 19.10 |
| April | 10.98 | 12.41 | 11.19 | 12.48 | 13.21 | 19.12 |
| May | 10.98 | 12.39 | 11.19 | 13.09 | 13.58 | 19.09 |
| June | 11.00 | 12.33 | 11.20 | 13.03 | 13.55 | 19.19 |
| July | 11.06 | 12.97 | 11.26 | 13.11 | 13.54 | 19.24 |
| August | 11.33 | 13.52 | 11.51 | 13.36 | 13.54 | 19.28 |
| September | 11.55 | 13.80 | 11.73 | 13.69 | 13.60 | 19.09 |
| October | 11.69 | 14.04 | 11.90 | 13.94 | 13.87 | 19.31 |
| November | 11.91 | 14.02 | 12.10 | 13.98 | 14.10 | 19.38 |
| December | 11.88 | 13.82 | 12.09 | 14.04 | 14.24 | 19.41 |
| 1987 | | | | | | |
| January | 11.07 | 13.88 | 11.97 | 14.19 | 14.47 | 19.41 |
| February | 11.27 | 13.58 | 11.59 | 13.95 | 14.44 | 19.79 |
| March | 11.03 | 13.08 | 11.34 | 13.45 | 14.26 | 19.29 |
| April | 11.00 | 12.71 | 11.26 | 13.22 | 13.83 | 19.34 |
| May | 11.00 | 12.42 | 11.21 | 13.02 | 13.60 | 19.55 |
| June | 11.07 | 12.46 | 11.27 | 13.12 | 13.56 | 19.48 |
| July | 11.17 | 13.07 | 11.37 | 13.17 | 13.56 | 19.45 |
| August | 11.27 | 13.51 | 11.48 | 13.36 | 13.61 | 19.52 |
| September | 11.42 | 13.82 | 11.64 | 13.56 | 13.70 | 19.78 |
| October | 11.35 | 13.86 | 11.60 | 13.61 | 13.81 | 19.81 |
| November | 11.34 | 13.69 | 11.59 | 13.50 | 13.97 | 19.81 |
| December | 11.12 | 13.31 | 11.38 | 13.32 | 13.90 | 19.93 |
| 1988 | | | | | | |
| January | 10.91 | 13.13 | 11.19 | 13.26 | 13.91 | 19.95 |
| February | 10.60 | 12.86 | 10.89 | 12.97 | 13.69 | 20.10 |
| March | 10.43 | 12.43 | 10.71 | 12.59 | 13.48 | 19.95 |
| April | 10.33 | 12.08 | 10.58 | 12.29 | 13.16 | 19.98 |
| May | 10.34 | 11.81 | 10.56 | 12.17 | 12.99 | 19.86 |
| June | 10.34 | 11.75 | 10.55 | 12.16 | 12.89 | 19.78 |
| July | 10.52 | 12.38 | 10.72 | 12.33 | 12.89 | 19.78 |
| August | 10.98 | 13.09 | 11.13 | 12.67 | 12.88 | 19.69 |
| September | 11.48 | 13.51 | 11.58 | 13.06 | 13.06 | 20.00 |
| October | 11.88 | 13.93 | 11.98 | 13.41 | 13.53 | 20.34 |
| November | 12.23 | 14.20 | 12.35 | 13.85 | 14.03 | 20.59 |
| December | 12.27 | 14.13 | 12.44 | 13.91 | 14.43 | 20.84 |
| 1989 | | | | | | |
| January | 11.90 | 14.09 | 12.19 | 14.09 | 14.79 | 21.14 |
| February | 11.26 | 13.80 | 11.65 | 14.06 | 14.83 | 21.45 |
| March | 10.98 | 13.25 | 11.34 | 13.26 | 14.46 | 21.57 |
| April | 11.09 | 12.73 | 11.34 | 12.79 | 13.82 | 21.53 |
| May | 11.12 | 12.55 | 11.33 | 12.77 | 13.54 | 21.48 |
| June | 11.33 | 12.74 | 11.52 | 13.00 | 13.65 | 21.48 |
| July | 11.76 | 13.41 | 11.90 | 13.35 | 13.67 | 21.43 |
| August | 12.37 | 14.25 | 12.46 | 13.83 | 13.87 | 21.55 |
| September | 13.10 | 14.96 | 13.06 | 14.41 | 14.30 | 21.91 |
| October | 13.87 | 15.57 | 13.74 | 15.03 | 14.91 | 22.31 |
| November | 14.69 | 16.19 | 14.46 | 15.66 | 15.65 | 22.93 |
| December | 14.93 | 16.44 | 14.98 | 16.14 | 16.43 | 23.69 |
| 1990 | | | | | | |
| January | 13.94 | 16.44 | 14.40 | 16.43 | 17.26 | 24.48 |
| February | 12.22 | 15.74 | 13.04 | 15.73 | 17.50 | 25.02 |
| March | 12.02 | 14.92 | 12.62 | 14.55 | 16.51 | 24.62 |
| April | 12.32 | 13.85 | 12.55 | 13.83 | 14.79 | 24.55 |
| May | 12.78 | 13.86 | 12.91 | 14.13 | 14.59 | 24.29 |
| June | 13.28 | 14.25 | 13.36 | 14.48 | 14.89 | 24.12 |
| July | 13.43 | 15.01 | 13.57 | 14.87 | 15.35 | 24.50 |
| August | 13.09 | 15.62 | 13.48 | 15.26 | 15.83 | 24.79 |
| September | 12.50 | 15.52 | 13.10 | 15.14 | 15.96 | 24.72 |
| October | 10.48 | 14.61 | 11.54 | 14.09 | 15.62 | 23.02 |
| November | 10.25 | 13.94 | 11.15 | 13.65 | 15.08 | 24.57 |
| December | 10.19 | 12.28 | 10.48 | 11.83 | 13.01 | 23.95 |
| 1991 | | | | | | |
| January | 10.16 | 12.19 | 10.47 | 12.09 | 12.79 | 23.78 |
| February | 10.04 | 12.03 | 10.38 | 12.11 | 12.73 | 23.60 |
| March | 10.02 | 11.95 | 10.31 | 11.59 | 12.70 | 23.69 |
| April | 10.04 | 11.94 | 10.30 | 11.62 | 12.59 | 23.53 |
| May | 10.23 | 11.84 | 10.44 | 11.78 | 12.57 | 23.43 |
| June | 10.59 | 11.84 | 10.68 | 11.94 | 12.59 | |

"MIAMI'S FOR ME" VOLUNTEER SERVICE PRESENTS NEW TELEVISION PROGRAM

HON. ILEANA ROS-LEHTINEN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 22, 1991

Ms. ROS-LEHTINEN. Mr. Speaker, I would like to bring to your attention a new project sponsored by "Miami's for Me" volunteer service. This volunteer service has been known for its achievements for over a decade and is now introducing a new information service called "Volunteer Miami."

"Miami's for Me" is a nonprofit organization founded in 1981. The primary goal of the or-

ganization is to provide individuals with information on various volunteer services. With this information, individuals are able to choose the volunteer service best suited to their interests. The organization hopes this will promote civic pride in Miami and show how everyone can make a difference in our society.

Recently, "Miami's for Me" sponsored a television program which will make volunteer service information available to all. This new program, "Volunteer Miami," started airing on July 1 and will continue as a 12-part series examining the inner workings of some volunteer services. Some shows will feature interviews with the founders of their services, while others will show the services' achievements. The first show of the series introduces the idea of "voluntarism" to the audience, and each show concludes with information on how to join the services.

There are many individuals responsible for "Volunteer Miami" without whom the project would not have been possible. These people should be admired for their sacrifices and respected for their dedication to the community. Harriet Carter, founder of Volunteer Miami and cohost; and David Tilden, cohost, in particular should be noted for their tremendous efforts to the project. Citibank, D'zyne Design, United Way, and Channels 4, 10, and 17 should also be recognized for their work on the project.

I would like to emphasize the beneficial impact Harriet Carter's "Volunteer Miami" will have on the community. By implementing this new program, "Miami's for Me" has expanded its outreach into an extremely viable medium. May they have continued success in the future.

AUDUBON SOCIETY PROVES OIL DEVELOPMENT, WILDLIFE MIX

HON. DON YOUNG

OF ALASKA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 22, 1991

Mr. YOUNG of Alaska. Mr. Speaker, as Congress considers the matter of whether or not to allow oil and gas development in a small portion of the Arctic National Wildlife Refuge in Alaska, it is important that Members are aware that at least one environmental group with land holdings allows such development. In the following article which appeared in the Washington Times details, the Audubon Society has for years balanced oil and gas development on lands held for their wildlife values. I believe it proves that such development can take place safely, as do the existing operations at Prudhoe Bay in Alaska, immediately west of the Arctic Refuge. Of course, the stakes are much higher in the refuge, where scientists have estimated geological structures could contain more than Prudhoe Bay itself. This would make the refuge the largest oil find ever in North America. I submit the article for the RECORD, and ask that it be inserted in its entirety.

[From the Washington Times, July 18, 1991]

AUDUBON THE KEY TO ANWR OIL?

(By Jonathan Alder)

Down in the heart of the Louisiana bayou lies the Rainey Wildlife Sanctuary. It is the

26,800-acre home to a grand assortment of animal and plant life and serves as the seasonal nesting and breeding grounds for many migratory birds. It is owned and maintained by the National Audubon Society and is closed to the general public, thereby providing an exceptionally pristine and secure wildlife habitat. The Rainey sanctuary is a model of environmental management.

However, while birdwatchers, campers and other visitors are unable to explore Rainey's ecological diversity, profit-seekers have been able to take advantage of what Rainey has to offer. Oil companies have leased the rights to the oil deposits in the preserve for more than 25 years, and today there are still four active wells within the refuge.

Many associate oil drilling with the environmental degradation and the disruption of animal habitats. Not only has Audubon found ways to allow access to oil deposits in Rainey without compromising environmental concerns, but National Audubon has also negotiated contracts allowing exploratory drilling in the Corkscrew Swamp Sanctuary, near Naples, Fla., and the Michigan Audubon Society (MAS) allows oil operations in its Baker Wildlife Sanctuary, one of the nation's first sandhill crane sanctuaries.

MAS' experience with drilling in the Baker sanctuary is particularly instructive. The Baker sanctuary includes what is widely considered to be an important nesting and breeding ground for many species, including the osprey. MAS has termed it "the most important and significant refuge" it manages. Nevertheless, when MAS conducted a study of the effects of oil operations in the sanctuary, it found that oil drilling and extraction was not having a harmful impact on the local flora and fauna. Furthermore, the report clearly stated that the birds breeding in the sanctuary in habitats adjacent to the well site were not noticeably disturbed by the presence of humans or the noise of the well drilling. This allayed many fears that human and machine activity would cause birds and other animals to forego seasonal mating and thereby stunt wildlife population growth in the sanctuary.

Given Audubon's success in balancing oil interests and ecological concern, it is surprising that the society, and most other environmental groups, oppose allowing the federal government to pursue a similar course in the Arctic National Wildlife Refuge. ANWR is a potential windfall for federal coffers, and many believe it holds more oil than nearby Prudhoe Bay, North America's largest oil field.

Of course each region is unique, and different considerations apply to each potential drilling site. The environment of exploration can occur in the winter when ice and frozen tundra protect the delicate permafrost layer, and most wildlife is far south of the coastal region where any drilling would take place. Additionally, drilling activity can also be coordinated with seasonal migration and mating so as to provide minimal disruption, and pipelines and service roads can be designed to not impede the Caribou herds' paths of migration. Such methods have been good enough for Audubon; they should be good enough for the federal government.

Audubon subsidizes its conservation activities through the careful development of natural resources. Why does not the Audubon Society encourage the American taxpayer to do the same? In an age when America is overly dependent upon foreign sources of oil, and the federal government is under the burden of massive debt, there is a need to take

advantage of what Alaska's North Slope has to offer. Organizations such as Audubon should seek innovative approaches to hydrocarbon development that are compatible with environmental concerns. Audubon should be part of the solution rather than part of the problem.

A TRIBUTE TO NANCY LETOURNEAU

HON. PAT ROBERTS

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Monday, July 22, 1991

Mr. ROBERTS. Mr. Speaker, today I would like to recognize Nancy Letourneau of Aurora, KS. Miss Letourneau is the first district winner in the annual Veterans of Foreign Wars Voice of Democracy script writing contest.

Her script is a fine example of the dedication and pride she feels toward democracy. As a tribute to her hard work, I ask for her script "Democracy—The Vanguard of Freedom" to be inserted into the CONGRESSIONAL RECORD.

DEMOCRACY—THE VANGUARD OF FREEDOM (By Nancy Letourneau)

What is something that millions of people have sacrificed their lives to taste and millions more die to protect? No—I am not talking about that morning cup of coffee that you cannot begin the day without or that afternoon chocolate bar that just hits the spot. It is something both you and I participate in, depend upon, and expect. Any ideas? I am talking about democracy—the vanguard of freedom. Let's examine why this commodity is so precious that people are willing to die to possess it.

What is democracy? Democracy is the liberator of people held behind Berlinian stone walls, something our American forefathers graciously died to protect, something students in Beijing courageously shed blood in hopes of, as well as something we participated in this November as we elected our congressional representatives.

Have you ever gone window shopping? Remember admiring that item on the other side of the glass? This is just like the people all around the world who have only seen democracy through the cracks of the Berlin Wall. These people's faces wear an exhausted expression which have never smiled with freedom. They have never held their head high with freedom's pride.

Freedom is not some bold term, it is the pleasure to worship what you choose, the privilege to participate in government, the opportunity to choose a job, the selections found on grocery shelves, and the liberty to go where you want and the right to speak one's mind.

Clara Smith Reber explains freedom this way in here poem appropriately entitled "Freedom".

Freedom is a breath of air, pine scented, or salty like the sea;

Freedom is a field, new-plowed furrows of democracy!

Freedom is a forest, trees tall and straight as men!

Freedom is a printing press, the power of the pen!

Freedom is a country church, a cathedral's stately spire;

Freedom is a spirit that can set the soul on fire!

Freedom is a man's birthright, a sacred rump; part;

The pulse beat of humanity . . . the throb of a nation's heart!

It is because of this—freedom—that people seek the treasury of democracy.

Our ancestors fought the American Revolution to free themselves and their grandchildren from the tyrannical yoke of England. To taste democracy they gave their lives. Through their victory, we drink the freedom of democracy. Also as the end of the Cold War shapes a new global political arena, and enemies become allies, democracy is changing the world. For example, the historical 1989 unveiling of the Iron Curtain and the tumbling of the Berlin Wall exposed people to freedom that before they could only dream about. Also on October 3, 1990 as Germany reunified, democracy offered those who had only eaten the spoiled fruits of suppression, the ripe fruits of freedom through democratization. Finally, students in Beijing gathered in Tiananmen Square to protest for something they saw in the West, but never experienced due to communist domination. Sadly, their blood fell like rain because old hardliners refused to quench their thirst for democracy. Their cries for freedom were silenced with bullets.

All of these examples illustrate a desire in people to be free. Democracy provides the vehicles to drive freedom to the people. Just like there will always be wars, there will always be people dying for the democratic way of life.

So the next time you hear someone say "I'd just die for a piece of chocolate," think of all those people who have died for a taste of something far more precious—democracy, the vehicle to freedom.

A SPECIAL SALUTE TO CLEVELAND INVENTOR GARRETT A. MORGAN

HON. LOUIS STOKES

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, July 22, 1991

Mr. STOKES. Mr. Speaker, on Wednesday, July 24, 1991, the city of Cleveland will pause to pay tribute to a great African-American inventor, manufacturer, businessman, and humanitarian, Garrett A. Morgan. On that date, the Division Avenue water facility will be renamed in honor of this famous Clevelander. The July 24 tribute marks the 75th anniversary of the rescue effort led by Garrett Morgan to save workers trapped beneath Lake Erie in Cleveland's worst water works disaster in history. Garrett Morgan will be remembered for his bravery, heroism, and compassion for his fellow man.

I want to take this opportunity to commend the Cleveland City Council and, in particular, Councilman Craig E. Willis, for his commitment and longstanding efforts to honor this great American. At this time, I would like to share with my colleagues some biographical information regarding this individual.

Mr. Speaker, Garrett A. Morgan is hailed in American history for his many inventions. In fact, during his lifetime Morgan invented so many things that he was referred to as "the Black Thomas Edison."

Garrett Morgan was born in Paris, KY, in 1877 and moved to Cleveland in 1895, where he worked as a machinist in a textile factory.

In one of his early business endeavors, Morgan and his wife ran a shirtwaist manufacturing business. Morgan also invented many haircare products for blacks, including straightening and curling combs.

Morgan's first successful invention was a belt fastener which enabled sewing machines to run properly. In 1912, Garrett Morgan developed and patented the gas mask or safety helmet, which received national recognition. He won a gold medal in 1915 and again in 1916 for this invention by the International Exposition of Safety and Sanitation. The Cleveland Fire Department bought five of the masks and the fire departments of Akron and Los Angeles added the device to their equipment. The National Safety Device Co. was formed to manufacture the mask.

In 1923, Garrett Morgan invented the traffic signal. The first traffic signal which Morgan patented was installed in Willoughby, OH, and shortly thereafter at East Ninth Street and Euclid Avenue in downtown Cleveland. The patent for this device was later sold to General Electric for \$40,000.

Mr. Speaker, despite his success as an inventor, Garrett Morgan faced many obstacles. Unfortunately, in the early 1900's, it was difficult for many to accept the fact that African-Americans were capable of developing inventions. Thus, Morgan was forced to not only pretend that he was not the inventor of his products, but also that he was not black. He passed himself off as an Indian and had a white man to assume credit for his inventions.

In 1920 Garrett Morgan established the Cleveland Call, which served as a medium for him to advertise and promote his widely distributed line of hair treatment products. In 1923 Pioneer Publishing Co. took over the company and purchased a printing plant on Central Avenue in Cleveland. This marked the birth of Cleveland's first black weekly paper. In 1927 the paper merged with a competing black weekly, the Cleveland Post, and the Cleveland Call and Post was created. The newspaper continues to serve the African-American community.

Mr. Speaker, the gas mask which Garrett Morgan invented attracted national attention when it was used to save lives following a gas explosion in a water-intake tunnel beneath Lake Erie. It was during the evening hours of July 24, 1916, that an explosion shook Cleveland. It became apparent that workers were trapped in the tunnel below the surface. Ten rescue workers entered the tunnel in an attempt to save the lives of the workers, but failed to return.

Early the next morning, the Cleveland Police Department asked Garrett Morgan to use his gas mask to assist with the rescue attempt. While the mayor and other public officials looked on, Morgan, his brother, Frank, and two other men entered the tunnel and rescued six men. An official photograph from authentic records of the events showed Garrett Morgan, wearing the gas mask he invented, tenderly handing over to a policeman the unconscious body of one of the men rescued.

The Carnegie Hero Fund Commission conducted an investigation of the entire matter, and later gave awards to individuals involved in saving lives in the tunnel. Garrett Morgan was never included in any of the awards. Like-

wise, a city council resolution commending Morgan and awarding him \$2,000 was denied by the law department. Despite this, a group of leading citizens presented Garrett Morgan with a diamond-studded medal for his heroism and bravery. For his heroism Morgan also received a medal from the Cleveland Association of Colored Men and the International Association of Fire Chiefs. Morgan died in 1963 at the age of 86.

Mr. Speaker, Garrett Morgan was a great American and an outstanding inventor. The traffic signal he designed is a part of our everyday lives. Additionally, during the recent Persian Gulf war, our troops relied upon the gas mask which Garrett Morgan invented to save lives. I am proud that the city of Cleveland will honor Garrett Morgan and pay him proper recognition which is long overdue.

I am also pleased to note that pursuant to Ordinance No. 2511-90 which Councilman Willis sponsored, an area of Cleveland bounded by East 125th Street on the east, and East 115th and 114th Streets on the west, has been renamed Garrett Square, NE., in recognition of Morgan's outstanding accomplishments, his legacy to Cleveland, and contributions to American history. I commend the Cleveland City Council and I am honored to participate in this special tribute to Garrett Morgan.

THE FOREIGN INCOME TAX REFORM ACT OF 1991

HON. WILLIS D. GRADISON, JR.

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, July 22, 1991

Mr. GRADISON. Mr. Speaker, today I am introducing the Foreign Income Tax Reform Act of 1991. The bill is designed to eliminate many inequities and impediments facing U.S. companies in their international operations caused by the current U.S. tax system.

Since 1986, our export sector has contributed significantly to GNP growth and net exports are increasing in their importance to the health of the American economy. Exports now account for almost 7 percent of GNP. This is almost double what it was during the 1960's. In many respects, the U.S. economy is becoming export oriented, and our growth export led.

An increasing number of American companies are finding that their most profitable markets and the markets with the highest growth potential are foreign. Many large companies now earn more overseas than they do domestically. In fact, the share of corporate profits coming from foreign operations has more than doubled since the 1960's. The foreign share of corporate profits has grown from 6.5 percent during the 1960's to 15.4 percent during the 1980's, and is likely to continue increasing throughout the 1990's.

At the same time many companies are expanding their overseas operations, they are faced with high effective tax rates, rates higher than those imposed by any other major industrialized nation. According to the National Chamber Foundation, the effective U.S. tax rate on foreign income is 35.2 percent, while

all other major industrialized countries impose effective tax rates in the 25- to 31-percent range, with the average being 29.2 percent. In fact, the U.S. effective rate is higher than the statutory corporate rate of 34 percent because of the double taxation in the current system.

Despite these dramatic shifts in the U.S. economy, the Tax Code penalizes companies with overseas earnings. Many provisions of the current tax system cause double taxation of foreign source income and unnecessarily burden U.S. companies. My bill proposes 22 changes to relieve double taxation and lessen the administrative burden on U.S. companies.

The U.S. foreign tax system has grown so complex that even major companies with large, knowledgeable tax staffs admit that they do not know if they are computing their tax liability correctly. They are not intentionally disregarding the law, but that they just don't know what the law is and how to properly comply. This situation cannot continue without there being an adverse impact on voluntary compliance.

My bill is the only comprehensive revision of the foreign income tax rules before this Congress which attempts to address the issues of double taxation and complexity. Several of its provisions have been previously introduced by Senators BAUCUS and DANFORTH and by Congressman THOMAS of California. Chairman ROSTENKOWSKI and Senator BENTSEN have also included similar provisions in their recent tax simplification bill.

I realize that my bill contains several provisions which lose substantial amounts of revenue and that without offsetting revenue they will not be enacted. I have asked the Joint Committee on Taxation to provide me with an estimate of the cost of the provisions in the bill. I expect that some provisions may not be very expensive and revenue can be found to enact them. Others may have to wait for a more favorable fiscal environment. Nonetheless, I feel that it is important to begin thinking about comprehensive changes to our foreign income tax laws.

A summary of the legislation follows:

THE FOREIGN INCOME TAX REFORM ACT OF 1991 SUMMARY

SECTION 1. AMENDMENT OF INTERNAL REVENUE CODE

Modifications are made to the Internal Revenue Code of 1986 to restore fairness and competitiveness to international tax policy.

SECTION 2. ALTERNATIVE MINIMUM TAX FOREIGN TAX CREDIT

This section eliminates double taxation on foreign source income in computing the alternative minimum tax by eliminating the 90% cap on the use of the foreign tax credit.

SECTION 3. LIMITED APPLICATION OF UNIFORM CAPITALIZATION RULES TO FOREIGN PERSONS

Foreign persons not doing business in the U.S. are exempted from the Uniform Capitalization Rules of Section 263A.

SECTION 4. LOOK-THRU RULES FOR FOREIGN COR- PORATIONS NOT TO APPLY TO SEPARATE CAT- EGORIES WITH DE MINIMIS AMOUNTS

Foreign corporations with *de minimis* amounts of separate limitation income are exempted from the foreign tax credit basket rules of Section 904.

SECTION 5. EARNINGS AND PROFITS DEPRECIATION USED IN ASSET BASIS IN ALLOCATING EXPENSES

This provision permits taxpayers required to allocate or apportion any deductible expense on the basis of U.S. and foreign-sited assets to do so by using the same depreciation method and life for both domestic and foreign assets.

SECTION 6. RULES FOR ALLOCATING INTEREST, ETC., TO FOREIGN SOURCE INCOME

This provision provides fairness in the interest allocation formula based on worldwide assets by permitting interest incurred by foreign affiliates to be taken into account. In addition, interest expense that a U.S. subsidiary of a U.S. based multinational corporation, with solely U.S. operations, incurs on the basis of its own credit is allocated fully to U.S. source income.

SECTION 7. DETERMINATION OF SOURCE IN CASE OF SALES OF PERSONAL PROPERTY

Consistent with the current rule for claiming indirect foreign tax credits under Section 902, this change provides foreign sourcing of gains and losses from the sale of stock of Section 902 corporations.

SECTION 8. SEPARATE APPLICATION OF SECTION 904 WITH RESPECT TO CERTAIN CATEGORIES OF INCOME

Consistent with the "look-through" rules applicable to dividends received from foreign corporations, this modification provides similar treatment for allocating gain and losses from the sale of stock of a section 902 corporation to separate categories of income for foreign tax credit limitation purposes.

SECTION 9. TREATMENT OF SALE OF A PARTNERSHIP INTEREST UNDER SEPARATE INCOME LIMITATION

Consistent with pre-TAMRA proposed regulations, this section treats gain, as well as a loss, from the sale of partnership interest as a disposition of the assets of the partnership for purposes of determining separate categories of income for foreign tax credit limitation purposes.

SECTION 10. TREATMENT OF SALE OF A PARTNERSHIP INTEREST UNDER SOURCE RULES

Consistent with the modification made in Section 9 above, this change provides that the gain or loss from the sale of partnership interest will be treated as a disposition of the assets of the partnership for income sourcing purposes.

SECTION 11. TAX RULES APPLICABLE TO 80/20 COMPANIES

This provision conforms the source rule for 80/20 company dividends with the source rule for 80/20 interest payments; the source rule for 80/20 stock gains with the source rule for foreign corporations stock gains; and the Section 904 (d) characterization rule for 80/20 stock gains with the Section 904 (d) characterization rule for foreign corporation stock gains.

SECTION 12. APPLICATION OF SEPARATE FOREIGN TAX CREDIT LIMITATION FOR NONCONTROLLED SECTION 902 CORPORATIONS

This section extends the current look-thru rules that apply to dividends received from controlled foreign corporations for foreign tax credit limitation purposes to dividends received from noncontrolled section 902 corporations. Dividends from noncontrolled section 902 corporations for which a taxpayer does not elect look-thru treatment are consolidated into one separate limitation basket.

EXTENSIONS OF REMARKS

SECTION 13. PASSIVE FOREIGN INVESTMENT COMPANY

Consistent with the 1986 Congressional intent, this change excludes from the PFIC provisions those companies subject to Subpart F provisions of the Code.

SECTION 14. DEFINITION OF PASSIVE FOREIGN INVESTMENT COMPANY

This amendment changes the PFIC test from one based on gross income to one based on gross receipts.

SECTION 15. TREATMENT OF PRIOR YEAR DEFICITS UNDER SUBPART F

In order to bring simplicity and fairness to the Subpart F rules, this amendment allows all pre-1987 (post-1962) accumulated deficits of offset similar Subpart F income earned after 1986.

SECTION 16. RECAPTURE OF OVERALL DOMESTIC LOSS

In order to provide symmetry with the foreign tax credit limitation rules dealing with overall foreign losses, this modification requires subsequent domestic income to be recharacterized as foreign income in the case of overall domestic loss.

SECTION 17. ALLOCATION OF RESEARCH AND DEVELOPMENT EXPENDITURES

This amendment makes the temporary allocation provisions a permanent rule so the 64 percent of US R&D expenditures will be allocated to US source income, with the remainder apportioned on the basis of gross sales or gross income.

SECTION 18. EXCHANGE RATE FOR FOREIGN TAXES SAME AS FOR INCOME INCLUSION

This amendment provides generally for the translation of foreign income taxes into U.S. dollars using the translation rate applicable to the inclusion of the underlying income.

SECTION 19. ALLOCATION OF DEDUCTION FOR STATE AND LOCAL INCOME AND FRANCHISE TAXES

Under this provision, all deductions for State and Local income and franchise taxes are allocated to US source income for foreign tax credited purposes.

SECTION 20. FOREIGN TAX CREDIT CARRYOVER RULES AND REFUND PROCEDURES

This provision conforms the foreign tax credit carryback/carryforward and ordering rules to those for general business credits. It also expands the 6411(a) tentative refund procedures to include foreign tax credits.

SECTION 21. EXPANSION OF DEEMED PAID CREDIT BEYOND 3RD TIER COMPANIES

The prohibition on claiming deemed paid credits for subsidiaries beyond the third tier is repealed. Other ownership tests relating to the deemed paid credit are unchanged.

SECTION 22. POOLING EARNINGS AND PROFITS FOR THE DEEMED PAID CREDIT

This provision replaces the post-86 pool of earnings and profits with a three year moving average for purposes of calculating the deemed paid credit.

SECTION 23. EFFECTIVE DATE

Except as otherwise provided, the amendments made by this Act are applicable to taxable years beginning after December 31, 1991.

July 22, 1991

LATIN AMERICAN ASSOCIATION OF INSURANCE AGENCIES

HON. ILEANA ROS-LEHTINEN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 22, 1991

Ms. ROS-LEHTINEN. Mr. Speaker, it is my pleasure to recognize the Latin American Association of Insurance Agencies [LAAIA]. This organization, based in my congressional district in Miami, FL, was formed in 1969 in order to address the concerns of Latin American insurance agencies and their customers. The association attempts to educate the Hispanic American public not only in south Florida but in all of Florida about insurance issues. The LAAIA also helps insurance companies by initiating communication with the legislature in Tallahassee on insurance issues. It tries to eliminate the concerns of insurance companies about risks in insuring arriving immigrants.

In addition to addressing the concerns of insurance agencies, the LAAIA also greatly contributes to helping the Miami community. They conduct charity fund raisers for the underprivileged and abused children of the Children's Home Society, raise money for United Cerebral Palsy and Clinica Para Ninos con Cancer, a division of Children's Cancer Care in Miami, FL. Each December the LAAIA purchases and distributes toys to the Jackson Memorial Hospital children's ward, the Ronald McDonald House, and the Children's Home Society. This past year the association also had a 26-week television program on WLRM entitled "Insurance and You." This 1-hour, call-in program involved insurance agents, company personnel, and claims personnel. The purpose of the program was to inform the public on insurance issues ranging from health insurance to auto insurance.

The first president of the association was Manuel Arques. At this year's convention, which was held July 20, Ms. Martha Webster Stark was installed as the first woman president of the association. The new board of directors for 1991-92 to also be sworn were: President-elect, Jorge Ramallo; vice president, Luis Sastre, Jr.; secretary, Daniel Vaisman; treasurer, Mary B. Fernandez; directors, Julio Jimenez, Jenny Palma, Loreta Rodriguez, Rodolfo A. Suarez; immediate past president, Daniel Prenat; associate liaison, George Cintron.

I would like to take this opportunity to thank the many south Florida residents for their involvement in the Latin American Association of Insurance Agencies. Among them are the outgoing board of directors: President, Daniel Prenat; president-elect, Martha Webster Stark; vice president, Jorge Ramallo; directors, Eddy Tagle, Miriam Arencibia, Luis Sastre Jr., Rafael Duarte; treasurer, Ana B. Ramallo; secretary, Mary Fernandez; past president, Andy Rodriguez; associate liaison, Hilda Lopez; editor of the LAAIA newsletter, Annette Rodriguez.

OSHA CITES POSTAL SERVICE FOR HEALTH VIOLATIONS

HON. TOM LANTOS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 22, 1991

Mr. LANTOS. Mr. Speaker, I am pleased to call attention to the recent action by the Occupational Safety and Health Administration [OSHA] of the Department of Labor in which they issued a formal citation against the U.S. Postal Service for willful violations of the Occupational Safety and Health Act. OSHA has found that the Peoria, IL, and Columbus, OH, post offices willfully exposed their employees to severe hazards at their work on two widely used letter sorting machines. These machines are in use throughout the Postal Service.

Although OSHA has the responsibility for overseeing the health and safety of Federal workers, it is virtually unprecedented for the agency to take the drastic step of actually citing a fellow agency for failing to correct serious workplace dangers.

Regrettably, the Postal Service, the largest nondefense employer in the country, has a long history of ignoring advice from OSHA and from ergonomic experts concerning the dangers presented by the letter sorting machines.

In March of this year, the Employment and Housing Subcommittee, which I chair, held a field hearing in California at which we learned about the prevalence of painful and crippling cumulative trauma disorders or repetitive motion illnesses which afflict large numbers of letter sorting machine operators. Over many years employees and unions have complained to the Postal Service and to OSHA about these problems. Repeatedly, OSHA has investigated the complaints and made recommendations to the Postal Service, which has refused to act on them.

This year, OSHA had an intensive study made of the Peoria and Columbus operations by a national authority, Dr. Roger Maris of Ohio State University. When OSHA transmitted his report and recommendations to the Postal Service, they were curtly brushed off. Testimony at my subcommittee hearing revealed stubborn resistance by the postal authorities. After further efforts at conciliation by OSHA proved futile, under the leadership of Assistant Secretary Scannell, OSHA moved to issue a strongly worded citation, setting forth a timetable for corrective action at the two post offices.

They are to be commended for taking this step. However, OSHA has no power to fine or sue a Federal agency, as it does private employers. So it behooves us, as overseers of the Postal Service and all other Federal agencies, to see that the citation is not ignored as previous recommendations have been. We should no longer permit thousands of hard-working postal employees to be exposed to the traumatic workplace situations which have now been thoroughly exposed.

EXTENSIONS OF REMARKS

A TRIBUTE TO THE OLD FIRST REFORMED CHURCH

HON. CHARLES E. SCHUMER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, July 22, 1991

Mr. SCHUMER. Mr. Speaker, I rise today to pay tribute to the Old First Reformed Church in Brooklyn. The "Old First" will commence a yearlong anniversary celebration on September 29, 1991, marking the centennial of the dedication of its 1,200-seat sanctuary on September 27, 1891.

The Old First Reformed Church was founded in 1654 and is one of the oldest, continuous ecclesiastical organizations in America. The church's first edifice was built in Brooklyn in 1666. As its congregation grew, the church moved several times before its present-day chapel at Seventh Avenue and Carroll Street was completed in 1889. Rapid growth in the area pushed forward plans to complete the sanctuary, and the church as it stands today was dedicated on that September day 100 years ago.

For countless years, the "Old First" has been serving the spiritual and social needs of our community. The beautiful sanctuary which this celebration is honoring is used for special programs and graduations by local schools. Concerts by the Grace Choral Society and by local folk singers are held there several times a year as well as acting as the home for Boy Scout Troop 14.

I salute the "Old First" on the occasion of this centennial celebration and may the church and our community be blessed with 100 more years.

H.R. 2966

HON. THOMAS J. BLILEY, JR.

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 22, 1991

Mr. BLILEY. Mr. Speaker, I rise today as an original cosponsor of the Petroleum Marketing Competition Enhancement Act, introduced today by my colleague from Oklahoma, Representative SYNAR. H.R. 2966 addresses the existing threat to competition in the gasoline marketplace—a problem that has acutely manifested itself over the past year.

The threat I speak of is the ability of petroleum refiners to render irrelevant the marketing efficiencies of their wholesale customers—the Nation's independent petroleum marketers and dealers—thereby threatening these customers' economic viability. A manifestation of this phenomenon over the last 11 months has been a series of price inversions in the gasoline market.

In a market left to supply and demand, gasoline prices at the terminal, and forward to retail, progress from lowest to highest in the following order: unbranded rack, branded rack, branded dealer tankwagon and retail price.

Since August 1990, however, a series of price inversions have occurred around the country and in some locations continue today. These inversions or "flips" have led to pricing

in this order: retail price, dealer tankwagon, branded rack and unbranded rack.

These price inversions do not represent the free market at work. Rather, they represent the exercise of substantial market power by a limited number of companies to control the price of gasoline. That control represents the unlevel playing field on which competition finds itself today.

On this unlevel playing field, petroleum marketers have frequently found themselves paying a higher price at wholesale than the price that their refiner-supplier sold the product at his own direct-operated outlets.

The consequences of these alterations in historic gasoline market price structure is the infliction of significant economic hardship on independent marketers, who, based upon their operating efficiencies, have traditionally been the most price competitive at the pump. Such circumstances threaten the ability of the independents to compete effectively in the retail market for motor fuels to consumers' detriment.

My dedication to free market principles is well known. That dedication is premised upon my belief that the operation of an undistorted market ensures that consumers receive the benefits of the economic efficiencies which the resourcefulness of entrepreneurs creates as they strive for success in a competitive environment.

A free and competitive market has always benefited consumers. In such a market the entity which most efficiently performs a function succeeds in competition with its less efficient competitors. Thus, I pursue legislation which limits the commercial behavior of businesses only when I perceive that such action is necessary to secure for consumers the economic benefits which the market is supposed to provide for them. My cosponsorship of H.R. 2966 is based upon my concern that absent the enactment of this legislation, the driving public may be denied the benefits which the highly efficient operations of independent gasoline marketers should bestow upon them.

In essence, the legislation is of very limited scope and simple operation. It does only two things: first, the bill would prohibit a refiner which operates a retail outlet with company personnel from selling gasoline to its wholesale customers in the same market at a price which is higher than the price at which it sells gasoline to motorists, adjusted for the cost of doing business.

The objective of such a requirement is to ensure that the operating efficiencies of such a refiner's wholesale customers are not rendered irrelevant in competition with their supplier/competitor. Specifically, an independent marketer's efficiencies are of no consequence in competition with its supplier/competitor if that marketer cannot purchase gasoline at a price which is no higher than the price which that supplier/competitor charges to motorists in the same market.

Second, the bill would prohibit a refiner from controlling the resale price of its independent customers. The Petroleum Marketing Practices Act was enacted in recognition of the great disparity in bargaining power between refiners and their independent customers. The ability of an independent businessman or woman to determine his or her selling price is a corner-

stone of market theory. This provision is designed to ensure that the prices charged by a refiner's independent customers reflect those customers' independent business decisions, rather than an exercise of that refiner's inherent power over its customers.

In summary, as one dedicated to consumers' receiving the benefits of the superior operating efficiencies which undistorted competition generates, I have elected to cosponsor this legislation. I believe it is the least invasive means by which true competition in the retail marketing of motor fuels can be insured. I urge my colleagues to join me in seeking this bill's prompt enactment.

TRIBUTE TO UAW LOCAL 887

HON. MAXINE WATERS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 22, 1991

Ms. WATERS. Mr. Speaker, it is my pleasure to commend the UAW Local 887 on its 50th anniversary—50 years of fighting for the rights of working men and women. Since its charter, the members of UAW Local 887 have been led by such illustrious leaders as Charles Dorchester, Paul Lindsey, Franklin Dayton Owens, Rudy Sauser, George Terry, Ed Parkos, Lou King, Paul Schrade, Jack Hurst, Henry Lacayo, Joel Bomgaars, and Al Ybarra. Currently UAW Local 887 is led by Acting President E.J. Schalls.

Prior to the formation of UAW Local 887, workers were represented by organizations such as the International Association of Machinists and the Welders Union. After disputes regarding representation, 7,100 NAA workers voted on July 1, 1941, to form a separate local. With that mandate, UAW Local 887 was chartered on July 15, 1941.

During its 50 years of service to the working men and women of this country, UAW Local 887 has resolved labor conflicts and grievances, brought contracts to successful conclusions, promoted good will and planned organizing campaigns to improve working conditions for its members and other workers. It is appropriate to commend UAW Local 887 for its contribution to the welfare of American workers.

I am pleased to pay tribute to the United Auto Workers Local 887 for enhancing the quality of life of its members through its programs. In these times of high unemployment, recession, and downsizing, it is even more critical that organizations such as UAW Local 887 continue to work vigorously on behalf of local people.

GASOLINE PRICE INVERSIONS

HON. JIM COOPER

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Monday, July 22, 1991

Mr. COOPER. Mr. Speaker, a strange phenomenon in our Nation's wholesale gasoline markets threatens our local gasoline distributors. If it continues, it could result in less

choice and higher prices for consumers at the gas pump.

Imagine a market in which it is cheaper for wholesale distributors of gasoline to buy 8,000-gallon truck loads of gas at their suppliers' retail filling stations than it is to buy it from them wholesale. Sounds crazy, since retail prices are supposed to reflect transportation and operating expenses that don't exist for wholesale purchases. But it has been happening, and it has created a price squeeze that many marketers cannot withstand.

The bill introduced today by Mr. SYNAR, myself, and others tries to address these bizarre occurrences, known in the industry as price inversions.

Price inversions have occurred on and off in different areas of the country since President Bush called on the major oil companies to lower their retail gasoline prices last August. Retail prices did drop, but in many cases, wholesale prices did not. As a result, the traditional hierarchy of gasoline prices has been turned completely upside down. Refiner retail prices have been lower than their delivered branded wholesale prices which have been lower than branded wholesale prices at the terminal rack, which have been lower than unbranded wholesale prices at the rack.

There is no agreement about why refiner prices became inverted. Frankly, I am less concerned about why than I am about the effect the inversion is having on the wholesale distributors of refiner gasoline, otherwise known as jobbers. Many of these small businesses own or supply stations which compete directly with refiner stations. For several months there was no way they could be competitive without operating at a loss.

The major oil companies have argued that price inversions are natural market phenomena. However, they have so far been unable to explain how it is possible for a company's wholesale gas plus transportation to its retail station can be cheaper than the same wholesale gas without transportation.

The bill we have introduced today seeks to restore the natural hierarchy of prices in those geographic areas in which an oil company is selling both on the wholesale and retail levels. The bill actually proposes to do openly what most of the major oil companies are already doing privately with their secret rebate programs.

These programs were designed to pay off jobbers who are in direct competition on the retail level with their suppliers. The effect is that no one knows what net wholesale prices really are. Perhaps the rebates have had the effect of reversing the inversion for some. But these programs are inherently arbitrary; and they are controlled by the supplier, not by the marketplace as they would suggest. At the very least, suppliers should be required to publicly disclose wholesale rates which reflect their rebates. That way jobbers would have a better sense as to whether they are being treated fairly.

According to the U.S. Energy Information Administration, jobber sales have declined 14 percent over the last 4 years, while sales from refiner-operated stations have increased by the same amount. Major oil companies' income from refining and marketing increased 254 percent during the first quarter of this

year. In contrast, the Petroleum Marketers Association of America calculates that during that same period, jobber income per gallon of gasoline sold fell 73 percent.

I'm not suggesting there is a conspiracy going on to get rid of jobbers, but I am worried about this trend. Jobbers are important competitors. As lean small businesses, they often operate much more efficiently than the refiners. Wholesale distributors have also been responsible for many marketing innovations, like cheaper, self-serve gas. Jobbers are especially important in rural areas where the majors do not find it profitable to own stations.

This legislation does not begin to address all of the factors which have contributed to the financial problems of many distributors. However, it should ensure that they get a fair shake from their suppliers in the marketplace.

I should note that I am not committed to the exact language of the bill. In fact, I have some concern that the margins it would establish might in effect become minimum markups, which would most certainly not be in the best interest of consumers. However, I am cosponsoring it because I feel strongly that these price inversions threaten the livelihood of legitimate and valuable small businesses. I look forward to working with interested parties to perfect its approach.

The other component of this legislation addresses the practice of some refiners to impose maximum retail prices on gas stations they supply but do not own and operate.

The bill would prohibit any agreement or scheme which has this effect and provides competitors standing to sue. There simply are no circumstances under which price fixing—even maximum price fixing—is good for consumers in the long run.

I encourage my colleagues to support this legislation.

EXTENDING MFN TO CHINA

HON. GEORGE W. GEKAS

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, July 22, 1991

Mr. GEKAS. Mr. Speaker, I rise today to discuss the granting of most-favored-nation [MFN] trading status to the People's Republic of China. This extremely significant and controversial issue has been the focus of extensive debate in this body. In the spirit of this debate, I would like to share with my colleagues the contents of a letter recently sent to President Bush by the Asian American Voters Coalition. The following persons were signatories to the aforementioned letter: John Tsu, Ph.D., coordinator, San Francisco chapter, AAVC; Grace Shu, chairwoman, Chinese American Republican National Federation, Pennsylvania; Alfred Liu, president, Asian Benevolent Corps, Washington, DC; I.K. Liang, president, Washington, DC, chapter of the Taiwanese Benevolent Association; Michael Yuan, adviser, Asian American Voters Coalition; Kung Lee Wang, founder, Organization of Chinese Americans; Jane H. Hu, founder, Asian American Voters Coalition, Maryland; Irvine Lai, cochairman, AAVC, California; John Tan, Asian American Voters Coalition, Illinois;

Ping Tom, Midwest cochair, Asian American Voters Coalition, Illinois. I am pleased to report that Grace Shu, a constituent of mine and a signatory to the letter sent to President Bush by the Asian American Voters Coalition, is responsible for bringing the following material to my attention.

DEAR PRESIDENT BUSH: Your decision to grant most favored nation trading status to the People's Republic of China is strongly supported by those who understand the current conditions and future developments of China.

Free trade is the best way to expose the communist Chinese government to the benefits of free commerce and international trade. Trade has been a primary channel for contact between Americans and Chinese, sharing the ideas and values which have contributed to progressive developments within China. Free trade has also improved the living standards for hundreds of millions of Chinese people. These changes in the right direction will eventually lead China to freedom and democracy.

If China is denied the MFN status, the most effective channel of communication between Americans and Chinese would be closed. The only way to get China to change is to exert a positive influence to lead Chinese government to economical stability which will give them the security needed to allow more freedom and democracy to their own people.

Today, very few people in China still believe in communism; however, they are afraid of total political and economical collapse caused by radical reform. A natural and peaceful evolution to freedom and democracy is most likely as Americans continue to have strong influence on China. Chinese leaders cannot be forced to change, they will respond very negatively. However, showing them positive results and future prosperity, they will cautiously change their directions.

If the MFN status for China is denied, China may face the danger of economical breakdown and billions of people will suffer. Now the United States may have to spend 1.5 billion dollars to prevent the total collapse of the Soviet Union. We certainly do not want to spend billions of dollars in the future to save China from total collapse. All countries have to work together to solve the problems of today's world.

The crackdown at Tiananmen almost crushed any hope we have had for a free and democratic China. We are also angry and disappointed that the Chinese government continue to suppress freedom and to sell nuclear weapons to unstable countries in the Middle East. However, these issues should be dealt with the Chinese government directly using diplomatic and other means without affecting the welfare of Chinese people severely.

We understand your patience and kindness for billions of Chinese people. For this reason, we give you the strongest support and gratitude.

TRIBUTE TO GEORGE JOHNSTON

HON. BOB TRAXLER

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, July 22, 1991

Mr. TRAXLER. Mr. Speaker, I rise to pay tribute to George Johnston of Saginaw, MI, who has been general manager of the Central

Foundry Division since 1985. He has been promoted to general manager of Delco Marine and Delco Products Division in Dayton, OH, and will soon be moving there. He will be greatly missed, particularly because of his efforts to make the foundry in Saginaw a world class model.

As a member of the Saginaw County Chamber of Commerce, George was on the forefront of Saginaw's search for economic expansion. He was also an active participant in the United Way where he was a leader in recruiting voluntary aid for those individuals in our community who most needed help. Of great importance to George were his efforts to improve America's environment for youth through the Boy Scouts of America, Lake Huron Area Council. Besides his contributions to our community, he served in the U.S. Marines Corps during the Korean conflict.

Saginaw is not the only area that recognizes George's fine character. His talents have been recognized by General Motors since 1957. He has worked his way up through various supervisory assignments in manufacturing, process engineering, and personnel. George has served in the Muncie, Indiana Battery Plant, nine plants in Anderson, IN, and facilities in Dayton, OH, and Lockport, NY.

George was born in Anderson, IN, on January 11, 1932, and graduated from Indiana University with a bachelor of science degree in management in 1955. He also attended the Harvard University Business School Advanced Management Program in 1978. George and his wife, Nancy, have two sons.

Please join me in wishing the very best of success to George Johnston. He is a valuable contributor to Saginaw and to General Motors. We will remember him well.

TRIBUTE TO BILL C. DAVIDSON

HON. JERRY F. COSTELLO

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, July 22, 1991

Mr. COSTELLO. Mr. Speaker, I rise today to recognize an exceptional community servant, Bill C. Davidson. Since January 1985, Mr. Davidson has been the elected president of the Terminal Railroad Association of St. Louis. On August 1, 1991, he will retire from TRRA after working 43 years in the railroad industry. Bill Davidson's civic contributions to southwestern Illinois on behalf of TRRA over the past 6 years are commendable.

Bill Davidson was instrumental in the completion of numerous transportation projects including the donation of the Tunnel Railroad to the city of St. Louis and the exchange of the Eads Bridge for the MacArthur Bridge, which was essential to the Metro Link Light Rail project.

During his tenure as president, TRRA won the 1986 National Harriman Bronze Medal Award in the switching and terminal group for its employee safety record. This was TRRA's first national safety award since the association's formation almost 100 years prior. Since that time, TRRA has won numerous other safety awards. It is evident that Bill Davidson's commitment to education and improving employee safety has been successful.

Bill Davidson is responsible for the many community outreach programs TRRA participates in, including "Operation Lifesaver," a rewarding program to teach railroad safety to children, and Junior Achievement's "Project Business," a classroom program taught by TRRA employees to introduce young students to the business world.

In addition, he is an active member of the Tri-Cities Chamber of Commerce and the Granite City Rotary Club. One of his more significant contributions to the community is through the Tri-Cities Area United Way.

As chairman of the United Way Major Firms Division, he was able to raise 67 percent of the \$1,049,000 raised in the 1990 United Way campaign. TRRA has increased employee participation in the campaign significantly since Bill Davidson's arrival, and his encouragement and supportiveness to employees has enabled donations to be increased by 352 percent in the past 6 years.

Bill Davidson, through his superior leadership and involvement in the community, has contributed to the future prosperity for the southwestern Illinois region and has laid the groundwork for the future progress in many areas of economic development. I ask my colleagues to join me today as I recognize Bill for his significant accomplishments.

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate on February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place, and purpose of the meetings, when scheduled, and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Tuesday, July 23, 1991, may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

JULY 24

9:30 a.m.

Commerce, Science, and Transportation Communications Subcommittee

To hold hearings on S. 1410, to protect the rights of consumers from unsolicited telephone marketing calls, and S. 1462, to revise the Communications Act of 1934 to prohibit certain practices involving the use of telephone equipment for advertising and solicitation purposes.

SR-253

Environment and Public Works

Environmental Protection Subcommittee
To resume hearings on S. 976, authorizing funds through fiscal year 1996 for programs of the Solid Waste Disposal Act, focusing on toxics use and source reduction provisions.

SD-406

Judiciary

To hold hearings on the nominations of Eugene E. Siler, Jr., of Kentucky, to be United States Circuit Judge for the Sixth Circuit, William G. Bassler, to be United States District Judge for the District of New Jersey, and Jorge A. Solis, to be United States District Judge for the Northern District of Texas.

SR-332

Special on Aging

To hold hearings to examine the treatment of low-income Medicare beneficiaries.

SH-216

Joint Printing

To resume hearings to examine the technological future of the Government Printing Office.

B-318 Rayburn Building

10:00 a.m.

Energy and Natural Resources

Business meeting, to consider pending calendar business.

SD-366

Foreign Relations

To hold hearings on the Amendment to the Montreal Protocol on Substances that Deplete the Ozone Layer (Treaty Doc. 102-4), the Convention for the Prohibition of Fishing with Long Drift Nets in the South Pacific (Treaty Doc. 102-7), and the Convention for a North Pacific Marine Science Organization (PICES) (Treaty Doc. 102-9).

SD-419

Judiciary

Patents, Copyrights and Trademarks Subcommittee

Technology and the Law Subcommittee

To hold joint hearings on S. 1096, to ensure the protection of motion picture copyrights.

SD-226

Labor and Human Resources

To resume hearings on certain provisions of S. 1227, to reform the nation's health care system to assure access to affordable health care for all Americans, focusing on its economic impact.

SD-430

2:30 p.m.

Judiciary

Courts and Administrative Practice Subcommittee

To hold hearings to examine certain problems in bankruptcy, focusing on airline leasing, the interaction of ERISA law in bankruptcy proceedings, and whether "Evergreen Trusts" are authorized by bankruptcy codes.

SD-226

JULY 25

8:45 a.m.

Office of Technology Assessment

Board meeting, to consider pending business.

EF-100, Capitol

9:30 a.m.

Banking, Housing, and Urban Affairs
Securities Subcommittee

To hold hearings on proposed legislation authorizing funds for fiscal years 1992

and 1993 for the Securities and Exchange Commission.

SD-538

Energy and Natural Resources

Public Lands, National Parks and Forests Subcommittee

To hold hearings on S. 621 and H.R. 543, to establish the Manzanar National Historic Site in California, S. 870, to authorize the inclusion of a tract of land in the Golden Gate National Recreation Area in California, S. 1254, to increase the authorized acreage limit for the Assateague Island National Seashore on the Maryland mainland, S. 1344, to require the Secretary of the Interior to conduct a study of nationally significant places in Japanese-American history, and H.R. 848, to authorize the establishment of a memorial at Custer Battlefield National Monument to honor the Indians who fought in the Battle of the Little Bighorn.

SD-366

Governmental Affairs

To hold hearings to examine activities of the Food and Drug Administration, Department of Health and Human Services.

SD-342

Rules and Administration

To hold hearings on S. 165, to direct the Secretary of the Senate or the Clerk of the House of Representatives, when any appropriations bill or joint resolution passes both Houses in the same form, to cause the enrolling clerk of the appropriate House to enroll each item of the bill or resolution as a separate bill or resolution.

SR-301

10:00 a.m.

Environment and Public Works

Environmental Protection Subcommittee

To hold hearings on proposed legislation to implement the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal.

SD-406

Foreign Relations

To resume hearings on the Treaty on Conventional Armed Forces in Europe (CFE), with Protocols on Existing types (with Annex), Aircraft Reclassification, Reduction, Helicopter Recategorization, Information Exchange (with Annex), Inspection, the Joint Consultative Group, and Provisional Application; all signed at Paris on November 19, 1990 (Treaty Doc. 102-8).

SD-419

Labor and Human Resources

To hold hearings to examine certain issues relating to coverage for personal care attendants' services.

SD-430

Veterans' Affairs

To hold hearings to examine readjustment problems of Persian Gulf War veterans and their families.

SR-418

10:30 a.m.

Rules and Administration

To hold hearings on S. Res. 82, to establish the Senate Select Committee on POW/MIA Affairs.

SR-301

11:00 a.m.

Budget

To resume hearings to examine alleged waste and abuse in the Medicare pro-

gram, focusing on practices involving payment and coverage of medical equipment and supplies.

SD-608

2:00 p.m.

Energy and Natural Resources

To hold hearings on S. 1351, to encourage partnerships between Department of Energy laboratories and educational institutions, industry, and other Federal laboratories in support of critical national objectives in energy, national security, the environment, and scientific and technological competitiveness.

SD-366

Environment and Public Works

Nuclear Regulation Subcommittee

To hold hearings on international commercial nuclear reactor safety.

SD-406

Labor and Human Resources

Employment and Productivity Subcommittee

To hold joint hearings with the Select Committee on Indian Affairs on employment on Indian reservations.

SR-485

Select on Indian Affairs

To hold joint hearings with the Committee on Labor and Human Resources' Subcommittee on Employment and Productivity on employment on Indian reservations.

SR-485

Joint Economic

To hold hearings to examine the current poverty situation in the United States.
2359 Rayburn Building

JULY 26

9:00 a.m.

Labor and Human Resources

Education, Arts, and Humanities Subcommittee

To hold hearings on current educational television programming and to examine new technologies which could impact the future of educational television.

SD-430

9:30 a.m.

Labor and Human Resources

Labor Subcommittee

To hold hearings on S. 353, to require the Director of the National Institute for Occupational Safety and Health to conduct a study of the prevalence and issues related to contamination of workers' homes with hazardous chemicals and substances transported from their workplace and to issue or report on regulations to prevent or mitigate the future contamination of workers' homes.

SD-226

10:00 a.m.

Environment and Public Works

Environmental Protection Subcommittee

To hold hearings on S. 58, to establish a national policy for the conservation of biological diversity.

SD-406

Joint Economic

To resume hearings to examine the economic outlook at midyear.

SD-628

JULY 29

9:30 a.m.
Environment and Public Works
Superfund, Ocean and Water Protection
Subcommittee
Business meeting, to mark up S. 792, to authorize funds for programs of the Indoor Radon Abatement Act of 1988, S. 455, to establish a national program to reduce the threat to human health posed by exposure to contaminants in the air indoors, and S. 1278, to authorize funds for fiscal years 1992, 1993, and 1994 for the Office of Environmental Quality.

SD-406

10:00 a.m.
Environment and Public Works
Superfund, Ocean and Water Protection
Subcommittee
To hold hearings on proposed legislation relating to Superfund problems facing municipalities.

SD-406

2:00 p.m.
Environment and Public Works
Water Resources, Transportation, and Infrastructure Subcommittee
To hold hearings on oversight of the General Services Administration's (GSA's) planning and management procedures and the condition of the Federal Building Fund.

SD-406

JULY 30

9:30 a.m.
Energy and Natural Resources
To hold oversight hearings on the resettlement of the Rongelap, Marshall Islands.

SD-366

Environment and Public Works
Environmental Protection Subcommittee
To hold hearings to examine and evaluate recent developments relating to international negotiations on global climate change and stratospheric ozone depletion.

SD-406

Judiciary
Constitution Subcommittee
To hold hearings on issues relating to abortion as contained in Rust versus Sullivan.

SR-332

10:00 a.m.
Commerce, Science, and Transportation
Business meeting, to consider pending calendar business.

SR-253

2:30 p.m.
Energy and Natural Resources
Mineral Resources Development and Production Subcommittee
To hold hearings on S. 1179, to stimulate the production of geologic-map information in the United States through the cooperation of Federal, State, and academic participants, and S. 1187, to revise the Stock Raising Homestead Act to provide certain procedures for entry onto the Stock Raising Homestead Act lands.

SD-366

JULY 31

10:00 a.m.
Commerce, Science, and Transportation
Merchant Marine Subcommittee
To hold hearings on proposed legislation authorizing funds for the Maritime Administration, Department of Transportation.

SR-253

Finance
To resume hearings on S. 612, to encourage savings and investment through individual retirement accounts (IRAs) in an effort to stimulate economic growth for Americans and the nation.

SD-215

2:00 p.m.
Energy and Natural Resources
To resume hearings on S. 1351, to encourage partnerships between Department of Energy laboratories and educational institutions, industry, and other Federal laboratories in support of critical national objectives in energy, national security, the environment, and sci-

entific and technological competitiveness.

SD-366

AUGUST 1

9:30 a.m.
Energy and Natural Resources
Public Lands, National Parks and Forests Subcommittee
To hold hearings on S. 1156, to provide for the protection and management of certain areas on public domain lands managed by the Forest Service in the States of California, Oregon, and Washington.

SD-366

10:00 a.m.
Commerce, Science, and Transportation
To hold hearings on S. 22, to regulate interstate commerce with respect to parimutuel wagering on greyhound racing, and to maintain the stability of the greyhound racing industry.

SR-253

Environment and Public Works
Water Resources, Transportation, and Infrastructure Subcommittee
To hold hearings on a proposed Department of Transportation headquarters, and the relationship between the Judiciary and the Government Services Administration for the provision of space for the Courts.

SD-406

3:00 p.m.
Judiciary
Patents, Copyrights and Trademarks Subcommittee
To hold hearings on proposals to extend the patent term of certain products, including S. 526 and S. 1165.

SD-226

SEPTEMBER 24

9:00 a.m.
Veterans' Affairs
To hold joint hearings with the House Committee on Veterans' Affairs to review the legislative recommendations of the American Legion.

334 Cannon Building